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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,831	12/27/2001	Theresia Lindner	P01,0595	1891
26574	7590	08/24/2004	EXAMINER	
SCHIFF HARDIN, LLP PATENT DEPARTMENT 6600 SEARS TOWER CHICAGO, IL 60606-6473			NGUYEN, VAN H	
			ART UNIT	PAPER NUMBER
			2126	

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

10/034,831

Applicant(s)

LINDNER ET AL.

Examiner

VAN H NGUYEN

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/15/04.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-20 are presented for examination.

#### ***Specification***

2. The disclosure is objected to because of the following informalities:

“a pictorial network (page 6, line 20) should read “a pictorial network”

Applicant is requested to review the entire specification and make appropriate corrections.

#### ***Claim Objections***

3. Claims 2, 5, 14, 19, and 20 are objected to because of the following informalities:

“said identified” (claim 2, line 3; claim 5, line 3; claim 14, line 3; claim 19, line 3; and claim 20, line 3) should read “said identifier”

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 6-8, and 11-15 rejected under 35 U.S.C. 103(a) as being unpatentable over **Applicant's Admitted Prior Art (APA)** in view of **Sloman (Ed.) "Network and Distributed Systems Management"** pp.309-347.

6. Sloman was cited by Applicant in the IDS filed March 11, 2002.

7. As to claim 1, APA teaches the invention substantially as claimed including a computerized method, comprising the steps of:

generating (e.g., generated; page 2, lines 20-24), at a managed object (e.g., the managed object; page 2, lines 20-24) which is part of a monitored network (e.g., the network to be monitored; page 1, line 14), an event report (e.g., an event report; page 2, lines 20-24) when a set of event detection criteria is satisfied (e.g., the conditions which are defined by event detection criteria are satisfied; page 2, lines 10-14);

marking the event report with an identifier if a set of conditions is satisfied (page 2, lines 20-24); sending the event report from the managed object to a first database (page 3, lines 8-9);

checking at the first database if the event report comprises the identifier (page 3, lines 10-17); and

APA does teach an event report with an identifier is generated by a managed object and is stored in a database of the Network Management Station. APA, however, does not explicitly teach forward the event report to a second database.

Sloman teaches forward the event report to a second database (page 311, lines 3-7).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Sloman with APA because Sloman's teachings

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would have provided the capability for generating a more complete report by adding further attributes such as time stamps, event type, or text messages.

8. As to claim 2, APA teaches employing a set of conditions that is a subset of the set of event detection criteria as the set of conditions which must be satisfied for marking the report with the identified (page 2, lines 10-24).

9. As to claim 3, APA teaches monitoring the monitored network with an agent-manager network management system; and configuring an agent which resides on the managed object to generate and send the event report to a manager which resides at a Network Management Station which comprises the first database (page 3, lines 1-9).

10. As to claims 6-8, note the rejection of claims 1-3 above. Claims 6-8 are the same as claims 1-3, except claims 6-8 are system claims and claims 1-3 are method claims.

11. As to claim 11, the rejection of claim 1 above is incorporated herein in full. Additionally, APA further teaches an event report due to a change in the status of the managed object (e.g., the event report may comprise...the status of the managed object immediately before and after the occurrence of the event; page 2, lines 1-2 and lines 20-24).

12. As to claim 12, APA teaches generating the event report at the managed object when a set of event detection criteria is satisfied (page 2, lines 10-24).

13. As to claim 13, APA teaches marking the event report, at the managed object with the identifier if a set of conditions is satisfied (page 2, lines 20-24).

14. As to claims 14-15, they include the same limitations as claims 2-3 above, and are similarly rejected under the same rationale.

15. Claims 4-5, 9-10, and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Applicant's Admitted Prior Art (APA)** in view of **Sloman** as applied to claim 1 above and further in view of **Knapp** (U.S. 5,855,609).

16. As to claim 4, the combination of APA and Sloman does not explicitly teaches a medial device.

Knapp teaches a medial device (e.g., medical device; col.7, lines 10-25).

It would have been obvious to one of ordinary skill in the art to combine Knapp's teachings in the system of APA as modified by Sloman because Knapp's teachings would have provided the capability for increasing flexibility of the network management system as disclosed by APA.

17. As to claim 5, APA teaches employing a set of conditions related to components, the set of conditions which must be satisfied for marking the report with the identifier (page 2, lines 10-24). Refer to discussion of claim 4 above for rejection of the medical device.

18. As to claims 9-10, note the rejection of claims 4-5 above. Claims 9-10 are the same as claims 4-5, except claims 9-10 are system claims and claims 4-5 are method claims.

19. As to claim 16, it includes the same limitations as claim 4 above, and is similarly rejected under the same rationale.

20. As to claims 17-18, they include the same limitations as claims 12-13 above, and are similarly rejected under the same rationale.

21. As to claim 19, it includes the same limitation as claim 2 above, and is similarly rejected under the same rationale.

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22. As to claim 20, it includes the same limitation as claim 5 above, and is similarly rejected under the same rationale.

### ***Conclusion***

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Hinson et al. (U.S. 6748455) teaches "Object connectivity through loosely coupled publish and subscribe events with filtering."

- Smith (U.S. 6598069) teaches "Collection of events within a distributed object system."

- Lortz et al. (U.S. 6438618) teaches "Method and device for filtering events in an event notification service."

- Ross et al. (U.S. 6212676) teaches "Event architecture for system management in an operating system."

- Pohlmann et al. (U.S. 6366926) teaches "Method and apparatus for the dynamic filtering and routing of events."

- Howard et al. (U.S. 6768994) teaches "Web based data mining and location data reporting and system."

- Kumar et al. (U.S. 6697810) teaches "Security system for event monitoring, detection and notification system."

- Classen (U.S. 6584472) teaches "Method, system and article for creating and managing proprietary product data."



- Novik et al. (U.S. 6314533) teaches "System and method for forward custom marshaling event filters."

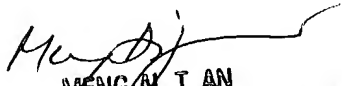
24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (703) 306-5971. **After mid-October, 2004, the examiner can be reached at (571) 272-3765.** The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703) 305-9678.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VHN

  
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